

**ARIZONA JUDICIAL COUNCIL'S
LIMITED JURISDICTION COURTS COMMITTEE**

**Arizona State Courts Building
Telephonic Meeting (602) 542-9007
Phoenix, AZ 85007**

August 16, 2002

Members Attending:

Honorable R. Michael Traynor, Chair
Honorable George Anagnost
Ms. Kathy Barrett
Honorable Linda Hale

Honorable Michael Lester
Mr. Frank Maiocco
Mr. Paul Thomas

Absent Members:

Ms Faye Coakley
Honorable Judy Ferguson
Honorable Sherry Geisler
Ms. Joan Harphant (excused)
Mr. Theodore Jarvi
Ms. Pam Jones
Honorable John Kennedy (excused)

Honorable John Lamb (excused)
Honorable Ronald O. McDaniel
Honorable G.M. Osterfeld
Mr. Dale Poage (excused)
Honorable Antonio Riojas, Jr. (excused)
Honorable Mary Scott

Guests:

None

Staff:

Ms. Catherine Drezak
Ms. Debby Finkel

Ms. Lori Johnson
Mr. David Withey

REGULAR BUSINESS

1. Call to Order

Judge R. Michael Traynor called the meeting to order at 2:00 p.m. He explained the reason for the special meeting was to determine whether to respond to the petition to amend Rule 17.2 because the September meeting was too late to respond before the end of the comment period.

FORMAL ACTION

2. Petition to Amend Rule 17.2, Arizona Rules of Criminal Procedure

Judge George Anagnost stated that he tried to get the comment period extended through the Staff Attorney's Office and/or voluntarily through the drafter. Judge Anagnost further stated that more time is really needed to study the issue. He suggest that Ms. Eleanor Eisenberg, Executive Director of the Arizona Chapter of the American Civil Liberties Union (ACLU) present to LJC at the September meeting. Judges Hale and Lester concur.

Judge Traynor stated that he spoke to Ms. Patience Huntwork, Chief Staff Attorney for the Supreme Court, and expressed concern that LJC is not hearing about proposed Rule changes in a timely fashion. Ms. Huntwork has agreed to present proposed changes in Rules at future LJC meetings.

Judge Anagnost would like to submit a formal request that the comment period be extended until mid-December. This means that the Rule Agenda would hear the Petition to Amend Rule 17.2 at their January meeting.

Mr. David Withey stated that he believes the Court would be receptive to the extension request since it is for further study. Judge Anagnost concurred with that based on prior conversations with Ms. Huntwork.

Judge Anagnost stated that does not think that prosecutors nor defense attorneys have had an opportunity to review this proposed change.

MOTION: Motion made and seconded to **submit a formal request to extend the comment period on the Petition to Amend Rule 17.2, Arizona Rules of Criminal Procedure to mid-December.**
Motion passed. LJC 02-10

Judge Traynor requested that Ms. Eisenberg be invited to present at the September 25th LJC meeting.

OTHER BUSINESS

3. Call to the Public

Judge Traynor called to the public.

4. Adjournment

Motion: Motion was made and seconded to **adjourn the meeting.**
Motion was passed. LJC 02–11.

Meeting was adjourned at 2:10 p.m.

Respectfully submitted,

Ms. Debby Finkel
Staff to the Limited Jurisdiction Courts Committee